

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
MISSOULA DIVISION

DANNY BOYKIN,

Plaintiff,

vs.

KILOLO KIJAKAZI,

Defendant.

CV 23–123–M–DLC–KLD

ORDER

Before the Court is the Parties’ Stipulated Motion to Remand. (Doc. 7.)

The motion requests that the Court reverse and remand the above-captioned case for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). (*Id.* at 2.) In addition, the parties request that the Court direct the Clerk of Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner. (*Id.*)

Under 42 U.S.C. § 405(g) a district court has “power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.”

Accordingly, IT IS ORDERED that the above-captioned case is REVERSED and REMANDED for further administrative proceedings. On remand, the Commissioner shall offer Plaintiff the opportunity for a hearing, as well as the opportunity to further develop the record as necessary.

IT IS FURTHER ORDERED that the Clerk of Court enter final judgment in favor of Plaintiff, and against Defendant.

DATED this 27th day of November, 2023.



Dana L. Christensen, District Judge
United States District Court